

**INDEX OF A REGULAR MEETING
FORT LAUDERDALE CITY COMMISSION
FEBRUARY 20, 2001**

<u>Agenda Item</u>	<u>Reso./Ord. No.</u>	<u>Page(s)</u>
OB	Presentations:	
	1. Expression of Sympathy	1
	2. "Black History Month"	2
	3. "Engineers' Week"	2
	4. Community Appearance Board's WOW Award	2
OB	Cable TV Franchise Renewal	2
OB	Water Rate Increase	3
CA	Consent Agenda	3
M-1	Event Agreement – Clueless on Las Olas	3 & 13
M-2	Event Agreement – Riverwalk Run	3 & 13
M-3	Event Agreement – Health and Temperance Parade	4
M-4	Event Agreement – Pride Parade 2001	4 & 14
M-5	Event Agreement – Fort Lauderdale Street Dance	4
M-6	Event Agreement – St. Patrick's Day Party (Waxy O'Connor's Inc.)	5
M-7	Event Agreement – St. Patrick's Day Street Party (Covenant House Florida, Inc.)	5
M-8	Event Agreement – St. Patrick's Day Party (Sly Fox of Broward)	5
M-9	Grant Acceptance – U. S. Department of Treasury, Bureau of Alcohol, Tobacco and Firearms – Gang Resistance Education and Training (GREAT)	5
M-10	Agreement – Urban League of Broward County – Neighborhood Revitalization Collaborative Program – 33311 Zip Code	6
M-11	FY 2000/2001 Business Capital Improvement Program (BCIP) Recommended Projects	6 & 14
M-12	Grant Agreement – Florida Department of Community Affairs (DCA) – Urban Infill and Redevelopment Planning Grant	6
M-13	Task Order – Evans Environmental & Geosciences, Inc. (EE&G) – Project 10111 – General Environmental Consultant	6
M-14	Change Order No. 7 – R. L. Saum Construction Co., Inc. – Project 15190 – George English Park	6
M-15	Agreement – Keith and Schnars P.A. – Project 10281 – Professional General/Civil Engineering Consultant Services	7 & 14
M-16	Lease Agreement – State Representative Jack Seiler – Shop No. 128 – City Park Mall	7 & 17
M-17	Contract Award – Omega Construction, Inc. – Project 10046 – Harbour Inlet Neighborhood Improvements	7
M-18	Contract Award – Jurado Construction and Dinipex, Inc. – Project 10274 – FY 2001/2002 Annual Street Repair and Restoration Contract	7
M-19	Contract Award – JJD Construction, Inc. – Project 10262 – Annual Contract for Directional Drilling of Water Service Lines	8

Index of a Regular Meeting
February 20, 2001
Page Two

<u>Agenda Item</u>	<u>Reso./Ord. No.</u>		<u>Page(s)</u>
M-20		Contract Award – Coral Tech Associates, Inc. – Project 10192 – Holiday Park Activity Center Emergency Air Conditioning Replacement	8
M-21		Contract Award – Man-Con, Inc. – Project 10335 – Annual Contract for Sanitary and Storm Sewer Repairs	8
M-22		Amendment to Developer Agreement – BridgeSide Place, Ltd. Development Project 9733 – BridgeSide Square Special Assessment	8
M-23		Interlocal Agreement – Broward County – Community Shuttle Bus Program – Lauderdale Manors and Galt Ocean Mile Neighborhoods	9 & 17
M-24		Police Professional Liability Settlement File PPL 97-257 (Jose Oliver Graham)	12 & 23
M-25		Settlement Agreement – New River Associates, Ltd. (Deleted)	13 & 23
Pur. 1		RFP 502-8227 – Equal Employment Opportunity Training	9 & 18
Pur. 2		Bid 712-8421 – Printing and Film Services	9
Pur. 3		Bid 712-8410 – Cancel Contract for Portable Toilet Rentals	10
Pur. 4		Bid 792-8035 – Cancel Contract for Debit Card System	10
Pur. 5		Proprietary Purchase – Two Garbage Collection Vehicles	10
Pur. 6		Contract 392-8068 – Additional Expenditure for Security Services	11
Pur. 7		RFP 212-8428 – Study the Effectiveness of the IMPROV Grant	11
Pur. 8		Bid 212-8409 – Towing Services, North and South Zone.....	11 & 18
Pur. 9		Proprietary Purchase – Forensic Image Tracking System/program	12
Pur. 10		Proprietary Purchase – Annual Maintenance Police CAD System	12
PH-1	01-27	Grant Applications – Broward County Safe Parks and Land Preservation Program – Swim Central and Challenge Grants	23
PH-2	C-01-5	Vacate a Portion of North/South Alley – Asher Anderson and Gail Julian (PZ Case No. 15-P-00)	25
PH-3	C-01-8	Vacate a Portion of North/South Alley – Lonnie N. Jackson Marital Trust (PZ Case No. 28-P-00)	26
PH-4	01-28	Application for Dock Waiver of Limitations – Alhambra Joint Venture – Alhambra Place, 209 North Birch Road	27
O-1	C-01-4	Rezone RMM-25 to CB – Richard A, Kurtz (PZ Case No. 19-Z-00)	33
O-2	C-01-7	Amendment to Chapter 2 – Increase Membership of Education Advisory Board	33
O-3	C-01-8	Amendment to Chapter 20 – General Employees' Retirement System – Vesting Schedules and Cessation of Employee Contributions	34

Index of a Regular Meeting
February 20, 2001
Page Three

<u>Agenda Item</u>	<u>Reso./Ord. No.</u>		<u>Page(s)</u>
R-1	01-29	Demolition of Building	34
R-2	01-30	Executive Airport – Aero Toy Store, Inc. Parcels 9A and 9B Lease Amendment	35
R-3	01-31	Proposed Annexation of the Southwest Area (also known as Riverland Road Area)	35
R-4	Defeated	Agreement – Broward County – Broward Boulevard Streetscape Improvement Project (Northwest 7 th Avenue to State Road 7/City- Funded Portion to City Limits on N.W. 31 st Ave.)	36
R-5	01-32	Grant of Temporary Easement Rights – Florida Department of Transportation (FDOT) – E. Clay Shaw Bridge – State Road A-1-A and Southeast 17 th Street Causeway	37
R-6	01-33	Grant Application – Florida Inland Navigation District (FIND), Waterway Assistance Program – Seawall Repairs on New River between Florida East Coast (FEC) Railroad and Esplanade Park	38
R-7	01-34	Historic Designation – Gilda’s Club of South Florida (HPB Case No. 29-H-00)	39
R-8	01-35	Extension of Site Plan Approval – Edward J. Smoker/ Tarpon Bend Partnerships - Himmarshee Landings (PZ Case Nos. 13-ZR-97 and 94-R-97)	39
R-9	01-36	Transmit Flexibility (Flex) Zones 49 and 54 into the Downtown Regional Activity Center (RAC) – Boundary Modification to Broward County Planning Council	40
OB	01-37	Swim Central – YMCA	24
OB	01-38	Advisory Board Appointments	40

**MINUTES OF A REGULAR MEETING
CITY COMMISSION
FORT LAUDERDALE, FLORIDA
FEBRUARY 20, 2001**

Meeting was called to order at 6:17 P.M. by Mayor Naugle on the above date, City Commission Meeting Room.

Roll call showed:

Present: Commissioner Gloria F. Katz
Commissioner Carlton B. Moore
Commissioner Cindi Hutchinson
Commissioner Tim Smith (6:19 P.M.)
Mayor Jim Naugle

Absent: None

Also Present:	City Manager	F. T. Johnson
	City Attorney	Dennis E. Lyles
	City Clerk	Lucy Masliah
	Sergeant At Arms	Sgt. D. Lewis

Invocation was offered by Pastor T.A. McNealy, Mount Olivet Seventh Day Adventist Church.

At 6:19 P.M., Commissioner Smith arrived at the meeting.

Pledge of Allegiance to the Flag.

Motion made by Commissioner Hutchinson and seconded by Commissioner Katz that the agenda and minutes of the meeting as shown below be approved:

February 6, 2001

Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle.
NAYS: none.

NOTE: All items were presented by Mayor Naugle unless otherwise shown, and all those desiring to be heard were heard. Items discussed are identified by the agenda number for reference. Items not on the agenda carry the description "OB" (Other Business).

Presentations (OB)

1. Expression of Sympathy

Mayor Naugle offered an Expression of Sympathy, on behalf of the City Commission, to the family of *Myrtis Mizell Blanco*.

2. "Black History Month"

Mayor Naugle read aloud and presented a Proclamation declaring February, 2001, as "Black History Month" in the City of Fort Lauderdale. *Supervisor of Elections Miriam Oliphant, Commissioner Pat Larkins, and NAACP President Bill McCormick* accepted the Proclamation. Mayor Naugle also presented each of them with a poster commemorating Black History Month.

Ms. Oliphant expressed appreciation for this Proclamation and this opportunity to be a part of the Black History Month celebration. She was honored to be the first African American woman to hold a Constitutional office in Broward County, and she believed the community's many accomplishments could be attributed to grass roots efforts.

Mr. Larkins thanked the City Commission and said he was stepping down from his position as a Commissioner in Pompano Beach after 20 years. He was pleased to be part of this celebration and blessed to have served.

Ms. Elizabeth Hollarath said she was representing Senator Dawson who was in Tallahassee at this time, and she was pleased to accept the proclamation on her behalf. Mr. McCormick accepted the proclamation on behalf of the Fort Lauderdale Branch of the NAACP. He felt this celebration was indicative of the strength of the community because truth came from the past.

The City Manager announced that the posters were replicas of the material that would appear in the annual ad, and unframed copies were available to others in the audience. Commissioner Moore wanted to thank everyone who had played a role in this community. He also noted that February was the month in which the NAACP had been founded in 1908, and the month in which the Urban League had been founded in 1909.

3. "Engineers' Week"

Commissioner Moore read aloud and presented a Proclamation declaring February 18 to 24, 2001 as "Engineers' Week" in the City of Fort Lauderdale. Mr. Pete Sheridan, Assistant City Engineer, accepted the Proclamation on behalf of all the engineers in the community.

4. Community Appearance Board's WOW Award

Commissioner Hutchinson presented the Community Appearance Board's WOW Award to

*Mr. and Mrs. Skoda
1220 Southwest 18th Court*

She stated that the Skodas had transformed their early Florida home into a showplace with quaint features such as dormer windows. Commissioner Hutchinson commended Mr. And Mrs. Skoda for a job well done and presented them with a gift certificate from Causeway Lumber.

Cable TV Franchise Renewal (OB)

Mayor Naugle announced that a public discussion had been scheduled for Thursday, March 1, 2001 from 7:00 to 9:00 P.M. in the City Commission Chambers with regard to the cable TV franchise renewal with AT&T Broadband.

Water Rate Increase (OB)

Mayor Naugle announced that some people were present because they understood the Commission was going to consider a water rate increase this evening. However, the Commission had unanimously rejected that notion at its last meeting and agreed to consider it only if voluntary compliance with water restrictions was not achieved. Therefore, the subject was not on the agenda this evening.

CONSENT AGENDA (CA) (CA)

The following items were listed on the agenda for approval as recommended. The City Manager reviewed each item and observations were made as shown. The following statement was read:

Those matters included under the Consent Agenda are self-explanatory and are not expected to require detailed review or discussion. Items will be enacted by one motion; if discussion is desired by any Commissioner or member of the public, however, that item may be removed from the Consent Agenda and considered separately.

Event Agreement – Clueless on Las Olas..... (M-1)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Partners in Education, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with **Clueless on Las Olas** to be held **Thursday, April 26, 2001 from 5:30 p.m. to 10:00 p.m.**; and further authorizing the closing of S.E. 9 Avenue from East Las Olas Boulevard to S.E. 4 Street from 12:00 noon to 11:30 p.m.

Recommend: Motion to approve.

Exhibit: Memo No. 01-193 from City Manager.

Event Agreement – Riverwalk Run..... (M-2)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Junior League of Greater Fort Lauderdale** to indemnify, protect, and hold harmless the City from any liability in connection with the **Riverwalk Run** to be held **Saturday, March 3, 2001 from 7:30 a.m. to 9:30 a.m.**; and further authorizing the closing of the following route from 7:30 a.m. to 9:30 a.m.: beginning at Las Olas Riverfront and proceeding east in the eastbound lanes of East Las Olas Boulevard to Poinciana Drive, south to the bend at Alamanda and returning to the eastbound lanes of East Las Olas Boulevard, continuing west in the eastbound lanes to return to Las Olas Riverfront (with the understanding that as group thins out, participants will be directed into one lane).

Recommend: Motion to approve.

Exhibit: Memo No. 01-192 from City Manager.

Event Agreement – Health and Temperance Parade (M-3)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with the **Mount Olivet Seventh Day Adventist Church** to indemnify, protect, and hold harmless the City from any liability in connection with the **Health and Temperance Parade** to be held **Saturday, February 24, 2001 from 3:00 p.m. to 6:00 p.m.**; and further authorizing the closing of the following parade route beginning at the Church, 1649 N.W. 15 Way, at 3:00 p.m., proceeding to N.W. 7 Street, west to N.W. 18 Avenue, north to N.W. 8 Street, east to N.W. 9 Avenue, south to N.W. 5 Street, west to N.W. 21 Avenue, north to N.W. 6 Street, east to N.W. 19 Avenue, and north to Lincoln Park (with the understanding that roads will be reopened as participants clear the area).

Recommend: Motion to approve.

Exhibit: Memo No. 01-230 from City Manager.

Event Agreement – Pride Parade 2001 (M-4)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Pride One of Broward County** to indemnify, protect, and hold harmless the City from any liability in connection with the **Pride Parade 2001** to be held **Sunday, March 4, 2001 from 1:30 p.m. to 3:30 p.m.**; and further authorizing the closing of the following roads: S.E. 1 Avenue from East Las Olas Boulevard to the cul-de-sac at Riverwalk from 8:00 a.m. to 4:00 p.m., and the parade route as follows: beginning at East Las Olas Boulevard and S.E. 1 Avenue at 12:30 p.m. The parade will begin at 1:30 p.m., proceeding east in the eastbound lanes of East Las Olas Boulevard to end at S.E. 13 Avenue (with the understanding that this will be a procession, with roads reopening as participants clear the area).

Recommend: Motion to approve.

Exhibit: Memo No. 01-231 from City Manager.

Event Agreement – Fort Lauderdale Street Dance (M-5)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Stranahan House** to indemnify, protect, and hold harmless the City from any liability in connection with the **Fort Lauderdale Street Dance** to be held **Friday, March 9, 2001 from 5:00 p.m. to 11:00 p.m., Saturday, March 10, 2001 from 12:00 noon to 11:00 p.m., and Sunday, March 11, 2001 from 12:00 noon to 7:00 p.m.**; and further authorizing the closing of South New River Drive from east of the Andrews Avenue Bridge to the S.E. 3 Avenue Bridge from 8:00 a.m. Friday, March 9, to 10:00 p.m. Sunday, March 11, 2001.

Recommend: Motion to approve.

Exhibit: Memo No. 01-234 from City Manager.

Event Agreement – St. Patrick’s Day Party (Waxy O’Connor’s Inc.) (M-6)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Waxy O’Connor’s Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **St. Patrick’s Day Party** to be held **Saturday, March 17, 2001 from 11:00 a.m. to 12:00 midnight**; and further authorizing the closing of the alley adjacent to the east side of Waxy O’Connor’s (1095 S.E. 17 Street) from S.E. 17 Street to the north end of its property from 7:00 a.m. Saturday, March 17, to 7:00 a.m. Sunday, March 18, 2001.

Recommend: Motion to approve.

Exhibit: Memo No. 01-232 from City Manager.

Event Agreement -**St. Patrick’s Day Street Party (Covenant House Florida, Inc.) (M-7)**

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Covenant House Florida, Inc.** to indemnify, protect, and hold harmless the City from any liability in connection with the **St. Patrick’s Day Street Party** to be held **Thursday, March 15, 2001 from 5:00 p.m. to 11:00 p.m.**; and further authorizing the closing of Sunrise Lane from N.E. 9 Street to the north end of the Parrot Lounge from 9:00 a.m. Thursday, March 15 to 2:00 a.m. Friday, March 16, 2001.

Recommend: Motion to approve.

Exhibit: Memo No. 01-235 from City Manager.

Event Agreement - St. Patrick’s Day Party (Sly Fox of Broward) (M-8)

A motion authorizing the proper City officials to execute an Insurance, Indemnification, and Hold Harmless Agreement with **Sly Fox of Broward** to indemnify, protect, and hold harmless the City from any liability in connection with the **St. Patrick’s Day Party** to be held at Danny’s Sly Fox, 3537 Galt Ocean Drive, on **Friday, Saturday and Sunday, March 16, 17 and 18, 2001 from 7:00 p.m. to 11:00 p.m. on Friday, 7:00 p.m. to 11:00 p.m. on Saturday, and 4:00 p.m. to 9:00 p.m. on Sunday.**

Recommend: Motion to approve.

Exhibit: Memo No. 01-194 from City Manager.

**Grant Acceptance – U. S. Department of Treasury,
Bureau of Alcohol, Tobacco and Firearms – Gang
Resistance Education and Training (GREAT) (M-9)**

A motion authorizing the proper City officials to execute an agreement with the U. S. Department of Treasury, Bureau of Alcohol, Tobacco and Firearms, to accept the GREAT grant in the amount of \$25,000, and further authorizing the proper City officials to execute all other documents necessary to accept such grant funds.

Recommend: Motion to approve.

Exhibit: Memo No. 01-220 from City Manager.

**Agreement – Urban League of Broward County -
Neighborhood Revitalization Collaborative Program – 33311 Zip Code (M-10)**

A motion authorizing the proper City officials to execute an agreement with the Urban League of Broward County for the City to provide technical assistance on an as-needed basis for the Neighborhood Revitalization Collaborative Program for the 33311 zip code.

Recommend: Motion to approve.

Exhibit: Memo No. 01-242 from City Manager.

**FY 2000/2001
Business Capital Improvement Program (BCIP) Recommended Projects (M-11)**

A motion approving the recommended BCIP projects for FY 2000/2001.

Recommend: Motion to approve.

Exhibit: Memo No. 01-168 from City Manager.

**Grant Agreement – Florida Department of
Community Affairs (DCA) – Urban Infill and Redevelopment Planning Grant..... (M-12)**

A motion authorizing the proper City officials to execute an agreement with the DCA for the Urban Infill and Redevelopment Planning Grant in the amount of \$50,000.

Recommend: Motion to approve.

Exhibit: Memo No. 01-170 from City Manager.

**Task Order- Evans Environmental & Geosciences, Inc.
(EE&G) – Project 10111 – General Environmental Consultant (M-13)**

A motion authorizing the proper City officials to execute a task order with EE&G in the amount of \$26,600 for environmental testing of City-owned buildings and development of an electronic database facilities management program.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-98 from City Manager.

**Change Order No. 7 – R. L. Saum Construction
Company, Inc. – Project 15190 – George English Park (M-14)**

A motion authorizing the proper City officials to execute Change Order No. 7 with R. L. Saum Construction Company, Inc. in the amount of \$8,332.02 for George English Park improvements.

Funds: See Change Order

Recommend: Motion to approve.

Exhibit: Memo No. 01-201 from City Manager.

Agreement – Keith and Schnars P.A. -**Project 10281 – Professional General/Civil Engineering Consultant Services (M-15)**

A motion authorizing the proper City officials to execute an agreement with Keith and Schnars, P.A. to provide professional general/civil engineering services.

Recommend: Motion to approve.

Exhibit: Memo No. 01-205 from City Manager.

Lease Agreement -**State Representative Jack Seiler – Shop No. 128 – City Park Mall (M-16)**

A motion authorizing the proper City officials to execute a two-year lease agreement with State Representative Jack Seiler for office space at Shop No. 128 at the City Park Mall, effective March 1, 2001, with 4 two-year option renewals and CPI increases.

Recommend: Motion to approve.

Exhibit: Memo No. 01-259 from City Manager.

Contract Award – Omega Construction, Inc. –**Project 10046 – Harbour Inlet Neighborhood Improvements (M-17)**

A motion authorizing the proper City officials to execute an agreement with Omega Construction, Inc. in the amount of \$546,993.50 for the Harbour Inlet Neighborhood Improvement Project.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-200 from City Manager.

Contract Award – Jurado Construction and Dinipex, Inc. -**Project 10274 – FY 2001/2002 Annual Street Repair and Restoration Contract (M-18)**

A motion authorizing the proper City officials to execute an agreement with Jurado Construction and Dinipex, Inc. in an amount not to exceed \$498,400 for the FY 2001/2002 annual street repair and restoration contract.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-111 from City Manager.

**Contract Award – JJD Construction, Inc. – Project 10262 –
Annual Contract for Directional Drilling of Water Service Lines (M-19)**

A motion authorizing the proper City officials to execute an agreement with JJD Construction, Inc. in an amount not to exceed \$226,230.50 for the annual directional drilling of water service lines contract.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-198 from City Manager.

**Contract Award – Coral Tech Associates, Inc. – Project 10192 -
Holiday Park Activity Center Emergency Air Conditioning Replacement (M-20)**

A motion authorizing the proper City officials to execute an agreement with Coral Tech Associates, Inc. in the amount of \$84,800 for the emergency replacement of the air conditioning system on the south side of the Holiday Park Activity Center.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-208 from City Manager.

**Contract Award – Man-Con, Inc. –
Project 10335 - Annual Contract for Sanitary and Storm Sewer Repairs (M-21)**

A motion authorizing the proper City officials to execute an agreement with Man-Con, Inc. in an amount not to exceed \$694,300 for the annual contract (2001/2002) for sanitary and storm sewer repairs.

Funds: See Memo

Recommend: Motion to approve.

Exhibit: Memo No. 01-108 from City Manager.

**Amendment to Developer Agreement – BridgeSide Place, Ltd.
Development Project 9733 – BridgeSide Square Special Assessment (M-22)**

A motion authorizing the proper City officials to execute an amendment to the Developer Agreement with BridgeSide Place, Ltd. for the construction of a gatehouse and new 12-inch water line in the vicinity of such gatehouse on N.E. 33 Avenue.

Recommend: Motion to approve.

Exhibit: Memo No. 01-202 from City Manager.

**Interlocal Agreement – Broward County – Community
Shuttle Bus Program - Lauderdale Manors and Galt Ocean Mile Neighborhoods (M-23)**

A motion authorizing the proper City officials to execute an interlocal agreement with Broward County for the operation of a community shuttle bus program in Lauderdale Manors, Galt Ocean Mile, and other routes in the City.

Recommend: Motion to approve.

Exhibit: Memo No. 01-121 from City Manager.

PURCHASING AGENDA

RFP 502-8227 – Equal Employment Opportunity Training (Pur-1)

One year contract for equal employment opportunity training for management personnel by the City Manager, Office of Equal Opportunity is being presented for approval.

Low Responsible Bidder: Novellae Group (MBE)
Amount: \$ 50,000.00 (estimated)
Bids Solicited/Rec'd: 29/6
Exhibits: Memorandum No. 01-130 from City Manager

The Purchasing Division reviewed this item and supports the recommendation for award to the first ranked proposer.

Bid 712-8421 – Printing and Film Services (Pur-2)

One year contract for printing and film services for the Parks and Recreation Department is being presented for approval.

Low Responsible Bidder: PSI Printing, Inc., Ft. Lauderdale, FL
Sun Sentinel Direct, Ft. Lauderdale, FL
Amount: \$ 25,410.00 (estimated)
Bids Solicited/Rec'd: 28/12
Exhibits: Memorandum No. 01-117 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to award to the lowest responsive and responsible bidders.

Bid 712-8410 – Cancel Contract for Portable Toilet Rentals (Pur-3)

A request to cancel the portable toilet rental contract for the Parks and Recreation Department is being presented for approval.

Low Responsible Bidder: AES Portable Sanitation, Inc. (MBE)
Amount: N/A
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-125 from City Manager

The Purchasing Division recommends cancellation of contract and request for a re-bid.

Bid 792-8035 – Cancel Contract for Debit Card System (Pur-4)

A request to cancel the special events debit card system for the Parks and Recreation Department is being presented for approval.

Low Responsible Bidder: Technology @ Work, Inc.
Amount: N/A
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-126 from City Manager

The Purchasing Division recommends cancellation of contract and request for a re-bid.

Proprietary Purchase – Two Garbage Collection Vehicles (Pur-5)

An agreement to purchase two garbage collection vehicles for the Administrative Services Department, Fleet Services Division is being presented for approval.

Low Responsible Bidder: Container Systems & Equip. Co., Inc.
Amount: \$ 320,286.90
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-124 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to approve the proprietary purchase from the Escambia County Utilities Authority.

Contract 392-8068 – Additional Expenditure for Security Services (Pur-6)

An agreement for an additional expenditure to the security services contract by the Executive Airport Division is being presented for approval.

Low Responsible Bidder: Navarro Security Group, Inc., Ft. Lauderdale, FL
Amount: \$ 49,400.00 (estimated)
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-188 from City Manager

The Purchasing Division reviewed this item and supports the recommendation for the additional contract expenditure.

RFP 212-8428 – Study the Effectiveness of the IMPROV Grant (Pur-7)

An agreement to purchase the study of effectiveness of the IMPROV Grant Program by the Police Department is being presented for approval.

Low Responsible Bidder: C-BORN, Miami Springs, FL
Amount: \$ 40,265.00
Bids Solicited/Rec'd: 12/3 with 1 no bid
Exhibits: Memorandum No. 01-157 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to award to the first ranked proposer.

Bid 212-8409 – Towing Services, North and South Zone (Pur-8)

Two year contract to provide towing services for the City's north and south zones by the Police Department is being presented for approval.

Low Responsible Bidder: Mac's Towing Services, Inc., Dania, FL
Amount: \$ 50,000.00 (annual revenue)
Bids Solicited/Rec'd: 17/7
Exhibits: Memorandum No. 01-190 from City Manager

The Purchasing Division reviewed this item and supports the recommendation to award to the first ranked proposer.

Proprietary Purchase – Forensic Image Tracking System/Program (Pur-9)

An agreement to purchase the MORE HITS Forensic Image Tracking System/Program by the Police Department is being presented for approval.

Low Responsible Bidder: PC Pros, Lakewood, WA
Amount: \$ 129,920.00
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-21 from City Manager

The Purchasing Division reviewed this item and supports the recommendation for this proprietary purchase.

Proprietary Purchase – Annual Maintenance Police CAD System (Pur-10)

An agreement to purchase annual maintenance for the Police CAD System by the Police Department is being presented for approval.

Low Responsible Bidder: Verizon, Inc.
Amount: \$ 242,631.12
Bids Solicited/Rec'd: N/A
Exhibits: Memorandum No. 01-217 from City Manager

The Purchasing Division reviewed this item and supports the recommendation for this proprietary purchase.

MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

Police Professional**Liability Settlement File PPL 97-257 (Jose Oliver Graham) (M-24)**

A motion authorizing the settlement of Police Professional Liability file PPL 97-257 (Jose Oliver Graham) in the amount of \$42,500.

Recommend: Introduce motion.
Exhibit: Memo No. 01-223 from City Manager.

Settlement Agreement – New River Associates, Ltd. (M-25)

A motion authorizing the proper City officials to execute a settlement agreement with New River Associates, Ltd.

Recommend: Introduce motion.

Mayor Naugle announced that **Item No. M-25** had been deleted from the Agenda.

Motion made by Commissioner Smith and seconded by Commissioner Moore that Consent Agenda Item Nos. M-1, M-2, M-4, M-11, M-15, M-16, M-23, Pur. 1 and Pur. 8 be deleted from the Consent Agenda and considered separately, and that all remaining Consent Agenda Items be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Event Agreement – Clueless on Las Olas (M-1)

Commissioner Hutchinson did not object to this event, but she was concerned about the frequency with which streets in the Las Olas area were closed. She had asked staff how many times the streets would be closed, and she thought there were other areas that could be used for some events.

Motion made by Commissioner Hutchinson and seconded by Commissioner Moore that Consent Agenda Item No. M-1 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Event Agreement – Riverwalk Run (M-2)

Commissioner Hutchinson noted that this event would also close Las Olas Boulevard. She understood the Las Olas Merchants had 6 closings per year for 9 days. Commissioner Smith suggested approval of this event contingent upon the organizers working with the Idlewyld neighborhood to address its concerns. He understood the run might actually go into that neighborhood.

Mr. Steve Person, Recreation Superintendent, advised that the run went up to Poinciana Road and came back in the eastbound lane of Las Olas Boulevard. Therefore, the eastbound lane of Las Olas Boulevard would be closed from about 7:30 to 9:30 on Saturday morning. Commissioner Smith reported that representatives from the neighborhood had wanted to be present this evening, but its Association meeting conflicted with this meeting. Mr. Person stated that a meeting was scheduled with the Association once the Commission had approved the event. At that time, staff would work with the Association to address any concerns.

Commissioner Smith thought neighborhood concerns should be addressed prior to presentation to the City Commission. He did not want to interfere with the Junior League's event, and it was too late to defer the item now without doing so. Commissioner Smith pointed out that this event also affected the Coolee Hammock, Beverly Heights, Victoria Park, and the Las Olas Isles neighborhoods as well as the beach.

Motion made by Commissioner Smith and seconded by Commissioner Moore to approve Consent Agenda Item No. M-2 with the hope that this would not happen again. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Event Agreement – Pride Parade 2001 (M-4)

Motion made by Commissioner Hutchinson and seconded by Commissioner Smith to approve Consent Agenda Item No. M-4 as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Fiscal year 2000/2001 Business Capital Improvement Program (BCIP) Recommended Projects (M-11)

Commissioner Moore was concerned because there did not seem to be very many applicants. He wondered if the match requirement was too great for the areas that needed the assistance the most. Ms. Kathryn Glenewinkel, Economic Development, stated that a project was just being closed in the midtown area, and a creative approach had been taken by using the Black Men's Chamber building as the match. This year, the group had not been far enough along in the process to put a project together.

Commissioner Hutchinson noted that the South Andrews Community Group had pulled out. Ms. Glenewinkel stated that the South Andrews Community Group was moving forward, and the Ports of Lauderdale group was separate.

Commissioner Smith wondered if Community Development Block Grant (CDBG) monies could be used for the match in the less affluent communities. Mr. Pete Witschen, Assistant City Manager, stated that due to the business nature of the Midtown Association project, it was not eligible for CDBG funding. However, if it became an issue in the disadvantaged business areas, staff would attempt to find another match program. Commissioner Smith felt the policy should be changed. Mr. Witschen stated that staff would pursue some type of incentive program for the disadvantaged businesses.

Commissioner Moore thought it would make good sense to do that because some business districts could make cash matches quickly, while that was not true of all areas. He did not feel this should be limited to CDBG dollars, but to any potential source that would encourage these projects. Mr. Witschen advised that staff could present new application guidelines to the Commission this summer.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. M-11 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Agreement – Keith and Schnars, P.A. – Project 10281 – Professional General/Civil Engineering Consultant Services (M-15)

Commissioner Moore thought this agreement seemed rather open ended. He asked how much these services had cost in years past. Mr. Pete Sheridan, Engineering, stated that there had been a general civil consulting firm before, and the dollar amount varied from year to year, depending upon the project needs. Commissioner Moore asked how much it was last year. Mr. Sheridan thought the cost over the past 3 years had been about \$1 million. Mr. Greg Kisela, Assistant City Manager, thought that figure might be a little light because it had not included the 7th/9th Avenue Connector PD&E Study. Commissioner Moore asked which company had performed this work over the past 3 years, and Mr. Kisela replied that Carr Smith had been the consultant.

Mr. Kisela noted that any task order involving services costing \$10,000 or more would come back to the City Commission for approval. Commissioner Moore asked what other firms had bid during the selection process. Mr. Sheridan recalled that 19 proposals had been submitted, and a short list had been developed containing 6 firms. At that time, presentations had been made, and Keith and Schnars had been the top-ranked firm. Mr. Sheridan noted that this was a diversified contract, so the firm had to provide civil engineering services as well as architectural, structural, mechanical, and electrical design services. He added that the hourly rates were in accordance with industry standards for this type of work.

Commissioner Moore suggested that the issue of professional services being negotiated without regard to cost during the next legislative session. He felt this aspect of the CCNA process put government at a disadvantage when entering into negotiations. He understood this had been a practice for some time, and he did not intend his remarks to be any reflection on this particular consultant, but he felt the issue should be addressed. Mayor Naugle agreed this subject should be included in the legislative package, although he believed the League of Cities had opposed the idea in the past.

Commissioner Moore asked if there was a way to get out of this contract if services were not satisfactory. Mr. Sheridan stated that the contract contained a 30-day termination clause. He also advised that this was not an exclusive contract, and the City could seek other services for specific projects, if desired. Commissioner Moore felt this contract should have a maximum term of 3 years. Mayor Naugle believed the contract could be placed on the Commission's agenda for renewal in 3 years. Commissioner Moore thought that should be standard in these types of contracts.

Commissioner Moore said he had always felt the Commission should be represented on the selection committee when there were multi-million dollar contracts involved. He urged the Commission to consider it and asked that the subject be placed on a Conference agenda. Commissioner Smith agreed Commissioner Moore had raised this issue many times before, and there was nothing that precluded any Commissioner from sitting in on any of the selection committee meetings. He pointed out that the City Commission made the final decision in any case.

Mayor Naugle agreed this had been discussed in the past, and one problem was the possible appearance of an elected official using the selection process as a fund-raising opportunity for campaigning. He asked if a Commissioner could sit in on these meetings and ask questions even if he or she was not a voting member of the committee. Mr. Kisela replied they could but, in fairness to all the teams competing for the work, the committee usually posed the same questions to all the proposers.

Mayor Naugle asked if any elected official had sat in on these committee meetings. Mr. Sheridan replied they had not. Mayor Naugle asked how many hours would be involved. Mr. Sheridan replied that a lot of time was involved when there was a contract of this magnitude involved, and there had been 19 submittals to review. He advised that staff performed reference checks for the committee, but its members had probably spent days reviewing all the materials. Afterwards, there had been 6 hour-long presentations followed by an hour or two of deliberations.

Commissioner Moore pointed out that all the Commission had received with respect to this decision had been 3 paragraphs of information. He did not feel that was sufficient under the circumstances, and he had arrived at City Hall today for a selection committee meeting only to learn it had been canceled.

Commissioner Smith said that if Commissioner Moore was uncomfortable with this, the Commission could request a full presentation at a subsequent meeting. He advised that he was usually comfortable with the recommendations of the City's professionals after a lengthy selection committee review process, but anytime a Commissioner was uncomfortable, it was reasonable to request additional details.

Commissioner Katz agreed the City had professionals to provide recommendations, plus there had been 2 citizen members of the selection committee, but she thought it would be helpful if the Commission received more back-up material with respect to these contracts.

Mr. Kisela clarified that this involved a two-step process. The first step had been presentation of the committee's ranking to the City Commission on January 3, 2001, which had then authorized negotiations. At that time, all of the back-up material had been provided. He advised that staff could provide that information again when the contract itself was presented for award.

The City Manager referred to the 3-year term recommended by Commissioner Moore. He noted that there could be occasions when longer terms were appropriate. For example, the master contract for the wastewater consultant spanned a number of years because improvements to a system of this nature were rarely limited to a 3-year period. However, those contracts could be pointed out to the Commission.

Mayor Naugle thought that if everyone was happy with the services after 3 years, the Commission would renew it for another 3 years. He felt that was appropriate even in the case of the wastewater consultant because there had been situations in the past that had resulted in damage to the City that had lasted for decades.

Commissioner Moore inquired about the citizen members of the selection committee. Mr. Sheridan replied they had been developers or contractors who used engineering firms. Commissioner Moore understood those individuals could be doing business with the competing firms, and he was even more concerned now and felt there should be an elected official on the committee. Mr. Kisela explained that when selection committee members were sought, staff tried to find individuals with qualifications and experience in the applicable discipline. If people were excluded who might do business with an engineering firm, he thought it would be very difficult to get any outside representation. However, staff did try to determine if there were any conflicts with any of the competitors.

Commissioner Moore wondered if the two citizen committee members had ever worked with Keith and Schnars in the past. *Mr. John Hart*, Keith and Schnars, believed both of those individuals had done business with Keith and Schnars over the years, but he thought that was probably true of all 6 of the short-listed firms. Commissioner Moore thought it would be better to use an engineer. Mr. Sheridan said that would have been difficult in this case because many of the engineers in the community were competing for the contract. Mr. Kisela explained that many smaller firms had teamed up to compete because of the diversified nature of this contract.

Commissioner Hutchinson asked if the same 2 individuals were used all the time. Mr. Kisela replied that staff tried to rotate the members and published their names to the Commission via "Friday memo." He stated that staff tried to bring in fresh faces with the appropriate expertise whenever possible.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve Consent Agenda Item No. M-15 for a term of 3 years. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Lease Agreement – State Representative Jack Seiler –
Shop No. 128 – City Park Mall (M-16)**

Commissioner Moore was glad this space was available for lease to the distinguished Representative, but he was concerned that the same opportunity to other legislators governing in Fort Lauderdale. He did not feel space should be offered to one representative at a reduced rate unless the same offer was going to be made to all of them. Commissioner Moore understood another legislator had presented a similar request but had been treated differently.

Commissioner Hutchinson asked if any other legislator had expressed interest in space. The City Manager replied that Representative Chris Smith had asked for some space, and staff had tried to find some suitable space in City facilities, but they had not been able to meet his needs. The City Manager said that was the only request he was aware of. Commissioner Moore believed Senator Mandy Dawson had made the same request 3 years ago. Commissioner Smith thought staff should try again to accommodate Representative Smith if he was still interested. Commissioner Moore believed staff had exhausted every possibility to accommodate Representative Smith.

Motion made by Commissioner Moore and seconded by Commissioner Smith that Consent Agenda Item No. M-16 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Interlocal Agreement – Broward County – Community
Shuttle Bus Program – Lauderdale Manors and
Galt Ocean Mile Neighborhoods (M-23)**

Commissioner Smith advised that a citizen had asked him to pull Item No. M-23 from the Consent Agenda, and it had slipped his mind, so he desired reconsideration of the item.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that Consent Agenda Item No. M-23 be reconsidered. Roll call showed: YEAS: Commissioners Katz, Smith Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Ms. Lu Deaner, Dolphin Isles Homeowners' Association, wished to applaud Commissioner Katz's efforts in this respect, and she asked that the Commission consider extending it to 19th Street. She believed that would help a great deal due to the demographics of the area. Ms. Deaner noted that there was not a great deal of parking at the new Community Center, and the shuttle would get more people out of their cars. She also felt this would make the whole community more cohesive. Commissioner Smith agreed completely.

Commissioner Katz believed staff was still working with the County, and the route was not yet “down pat.” Further, she understood there was some time element involved. Mr. Horace McHugh, Assistant to the City Manager, stated that one concern related to extending it to 19th Street was that the left turn from 23rd Street onto A-1-A was signalized, while 19th Street was not. He advised that concerns relating to the community center were being addressed.

Motion made by Commissioner Smith and seconded by Commissioner Moore that Consent Agenda Item No. M-23 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

RFP 502-8227 – Equal Employment Opportunity Training (Pur. 1)

Commissioner Smith wished to take this opportunity to applaud the City Manager on his continuing efforts to ensure a discrimination-free workplace. He believed a suggestion had come from the President of the National League of Cities about starting a dialogue within the community about race relations and how people perceived one another. He requested an update. The City Manager advised that Leslie Carhart had taken up this effort. He agreed that the campaign against racial injustice was something that should extend beyond the confines of City Hall and involved the entire community. He stated that Ms. Carhart was developing a concept through the Neighborhood Leadership College, the City’s advisory boards, and neighborhood associations.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. Pur. 1 be approved as recommended. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Bid 212-8409 – Towing Services, North and South Zone (Pur. 8)

Commissioner Katz understood some questions had been raised by some of the bidders that had not been short-listed, and she thought a staff update would be helpful. Mr. Kirk Buffington, Purchasing Director, recalled that this RFP had been presented to the Commission for input before it was released. There had been some discussion about weighting the criteria and the proposed fees, and the RFP had been revised accordingly. He stated that one of the issues raised by the Commission had been that the fee the contractor would pay was not to be the most important factor. Mr. Buffington understood the Commission had been more concerned about the level of service provided, so 20 points had been given to the fee while the other 80 points had related to capacity, resources, experience, and references.

Mr. Buffington stated that one of the bidders had submitted a proposal that could appear close to \$200,000 for the north and south zones. However, the RFP had indicated that the fee had to be paid on a quarterly basis in advance, and this proposal had been based on a \$10,000 per zone guaranteed fee, and the additional amount had been based on a fee of \$20 per tow. Mr. Buffington explained that accepting that bid would have meant a lot more monitoring on the part of City staff as to the number of tows, and it was estimated that this would require a new part-time employee. He stated that the number of tows ranged from 7,000 to 8,000 each year, and all the tow receipts would have to be monitored.

Mr. Buffington advised that despite that monitoring effort, that particular bid had been given 20 points in the evaluation process. He noted that there were other factors that were also considered by the evaluation committee, and that particular bidder had one-third the number of trucks of other bidders. He had one-third the financial capacity of the next bidder, and very little inside storage, which could be a critical issue when it came to storing vehicles that had been involved in vehicular homicide. Mr. Buffington explained that these were the other types of issues that had been examined, and there had also been issues about how long the two principals had been involved in the towing business.

Mr. Buffington stated that some of the other bidders also had issues with storage capacity, experience, etc. He noted that one bidder had an office that was not ADA-compliant because it was located in a trailer, so people in wheelchairs would not have been able to access the office. Mr. Buffington stated that this bidder had indicated that staff would go outside to the customers, but these were the types of issues that the evaluation committee had considered when making its recommendation.

Mr. Buffington noted that Sal's Towing had been ranked very close to Mac's Towing and had submitted a good proposal. However, there was some concern because there was no security or lighting in the second outside storage lot, and the company had less experience in the towing business than Mac's Towing.

Commissioner Hutchinson asked if the sites had been visited before the firms had been short listed. Mr. Buffington replied that the short list had been based on the proposals presented, and the sites of the short-listed firms had been visited to verify the information contained in the proposals. In addition, the short-listed vendors had made presentations. Commissioner Moore asked when references were checked. Mr. James Hemphill, Purchasing Division, stated that reference checks were conducted on the short-listed firms after the initial review of all the proposals.

Commissioner Moore understood Driscoll's was ranked first in the north zone during the initial review. Mr. Buffington agreed that was correct. Commissioner Moore understood Sal's Towing was ranked first in the south zone after the initial review of the written submittals. Mr. Buffington agreed that, too, was correct.

Commissioner Moore understood that Driscoll's fell in rank after the initial review because of its location. Ms. Nancy Dzoba, Police Dispatch Supervisor, stated that the ranking had declined after the site visit because some of the requirements were not met, such as posting of fees and information, and required documentation. Commissioner Moore asked if Driscoll's had agreed to meet those requirements if offered the contract. Mr. Hemphill replied that Driscoll's had promised to do those things, but it had affected the ranking. Another issue had been the distance of the facility from the City, which was located on Dixie Highway in Pompano Beach. Ms. Dzoba noted that the overall ranking between Sal's and Mac's had been very close, and Mr. Hemphill explained the rankings were based on the opinions of the different evaluation committee members.

Mr. Sidney Calloway, representing Hal's Towing, stated that Hal's Towing had not been short-listed in this process, but they had understood the review would concentrate less on the fees and more on the equipment, facilities, and experience of the vendors. He believed the process had not worked as well as it should given those ideals. Mr. Calloway thought the major problem was that there was no real effort on the part of staff to examine the equipment and facilities of the proposers at the beginning of the process.

Mr. Calloway stated that his client had 30 years of experience in this industry, and had a location at 520 Northwest 7th Avenue. His client had a \$1 million line of credit to purchase any equipment necessary to service the contract, and the proposal had been timely and responsive. However, the company had been excluded somehow. He believed real attention should have been given to examining the equipment and facilities of all the proposers, and he thought the process would have been better served had that been done. Mr. Calloway also believed that his client would have received higher scores had its facilities and equipment been examined, particularly as compared to some of the vendors that had made the short list. He also noted that the City of Plantation had expressed some problems with one of the short-listed vendors, Westway Towing. In fact, Westway Towing had been suspended for 6 months by that City. Mr. Calloway advised that there had also been incidents that suggested that Westway Towing and Driscoll's Towing were actually the same company.

Mayor Naugle did not believe either Westway or Driscoll's had been recommended for a contract award. Mr. Calloway understood that, but both had been short-listed. He felt that was another indicator that the process had not worked as it should. He asked that all of the proposals be reviewed again, with the idea that staff review the equipment, facilities and references if, in fact, those were the important aspects of the contract.

Mr. George Moffey, Sal's Towing, understood the purpose of this bid was to serve the best interests of the citizens of Fort Lauderdale, and the original intent had been to find two qualified contractors to provide prompt, reliable towing service at reasonable rates. He also understood the City had reserved the right to award the contract to a single vendor, but the rankings had been very close.

Mr. Moffey believed there was one person on the committee who had scored every firm 20 points lower than Mac's Towing. He had each of the individual score sheets from each committee member, and one tended to skew all the points. Mr. Moffey stated that all the short-listed firms were qualified and provided police towing services, but every company except Mac's had fallen short in the mind of one of the committee members. Mayor Naugle believed that individual handled stolen vehicles for the Police Department and had a considerable level of experience. Mr. Moffey displayed all of the individual scoring sheets and noted that all but one were within a few points of one another. Mayor Naugle thought that since this individual was in charge of homicide cases, he looked at things differently in terms of equipment, storage, reputation, etc. He noted that everyone on the committee brought a different form of expertise to the table.

Mr. Moffey said that Sal's Towing had been ranked second every time this contract was bid, and he believed it would be in the best interests of the City to have two companies providing these services. He pointed out that if there was an emergency, the City would have the wherewithal of two companies to rely upon.

Ms. Julia Snow Jones said she was present to complain about Sal's Towing. She stated that her car was stolen, and the Oakland Park Police Department had found it at the Coral Ridge Shopping Center. That Department had posted someone to watch it for 2 hours, and they had caught the car thieves. Ms. Jones stated that Sal's Towing had towed it to the Oakland Park Police Department and then to its lot, and she had not found about it for 5 days. Then, Sal's Towing had the audacity to charge her \$50 per day for having stored it. Ms. Snow Jones said she was still mad about it, and it had happened years ago. She felt that more important than their equipment was how honest the towing company was with the people who owned the towed cars.

Commissioner Smith asked how people were notified that their stolen cars had been recovered. Mayor Naugle wondered about the maximum charge for storage under this contract. Mr. Bob Pusins, Assistant Police Chief, stated that the Police Department was responsible for notifying the victim or the recording agency if the theft had occurred in another community. Mr. Buffington stated that inside storage after the first 6 hours could cost \$15 per day, and outside storage was \$12 per day after the first 6 hours. He advised that he had the individual ranking sheets of the evaluators if the Commission was interested, and he acknowledged that Sergeant Dixon had been meticulous in his points.

Mr. Ron Book, representing Mac's Towing, wanted to thank City staff for the thorough process utilized in evaluating the bidders on this contract. He stated that Mac's Towing had been the recommended contractor and was also the incumbent company. Therefore, there had been opportunities for the public to scrutinize the operation and staff to evaluate the service. Mr. Book believed the process had been thorough and extensive, and the City Commission had made it clear that service was more important than finances. He felt that was the reason why the evaluation system had been weighted in favor of the experience, equipment, facilities, and financial capacity and services each vendor could provide.

Mr. Book acknowledged that the ranking had been very close, but Mac's Towing was the incumbent company. He noted that it was within the rights of any towing company to go after the individual car owners for any deficit in the charges owed for towing or storage, but he did not believe there had ever been a constituent complaint about Mac's in this respect. He stated that all of Mac's equipment was state of the art and new, and it was owned by the company rather than leased.

Mr. Book advised that Mac's Towing was currently towing approximately 600 vehicles per month in Fort Lauderdale, as well as providing 250 free tows, such as towing a fire engine. He understood the City cared about the equipment the towing vendor could provide because everyone wanted to be sure that if a plane went down, it could be floated to the surface. Mr. Book advised that if a vehicle flipped over in the tunnel, Mac's had the equipment to right the vehicle and remove it. He also noted that Mac's was also a good corporate citizen, helping with the annual food drive, for example, and it provided a dedicated phone line manned by experienced personnel. Mr. Book believed each evaluator came from a different perspective as suggested by Mayor Naugle, and each had different concerns. He also pointed out that the specifications had identified the primary concerns related to this contract, and that had been the basis of the evaluation committee's recommendation.

Commissioner Hutchinson encouraged staff to take the time to visit the facilities in the future prior to short-listing firms even if there were 8 or 9 submittals.

Mr. Richard Kassal, of Hal's Towing, did not agree with Mr. Book. He stated that all of the companies that had submitted proposals were providing towing services to one police agency or another. Therefore, they all had the proper equipment and personnel. Mr. Kassal believed they could serve the City just as well as Mac's Towing. He pointed out that Hal's Towing had bid \$200,000, which had given the firm 20 points, but Mac's had only bid \$50,000, which was 25% of the high bid, but Mac's had been given way more than 25% of the possible points in that area. Mr. Kassal felt the process had been flawed, and the contract should be rebid.

Mayor Naugle asked Mr. Buffington to clarify the bid amount. Mr. Buffington explained that Hal's Towing had submitted a bid indicating that the "bid was based on the \$10,000 original permit fee plus \$20 per vehicle tow." Commissioner Moore understood the number of vehicles towed had been averaged in the bid documents. Mr. Buffington agreed that was correct. However, this type of financial proposal created a rather complicated record keeping process for the City to undertake.

Commissioner Moore pointed out that the Commission considered every budget item in great detail consistently, but it appeared staff would rather turn away a better bid because it would entail counting tows to obtain \$20 each. Mr. Buffington explained that even with that in mind, this bidder had still been awarded 20 points for this particular item, and that had been the maximum number of points possible. Commissioner Moore understood all 3 of the short-listed firms provided 24-hour service. Ms. Debbie McElea, Manager of Mac's Towing, stated that there was a night watchman who could release cars at any time. Commissioner Moore asked how long that 24-hour service had been provided. Ms. McElea said 24-hour service had always been provided. Commissioner Moore did not believe that was true.

Ms. McElea stated that if the central phone number was called, it was transferred to the central dispatcher, who would get the watchman to let the customer in immediately. Commissioner Moore said that he had experienced Mac's service himself, and he had not found that to be the practice. Rather, a vehicle was towed to the north site, and when he had tried to retrieve it, he had been sent to the Dania location because no one was available at the north site. Ms. McElea stated that 24-hour service had been provided as soon as the existing contract had been awarded.

Mayor Naugle thought Hal's Towing had bid \$10,000 plus a certain amount per tow. Mr. Kassal clarified that the \$10,000 had been a guaranteed amount based on the amount of tows estimated by City staff. However, the money had not been the primary concern. Rather, the capability of the provider had been of greatest importance, and all of the short-listed firms were working for police agencies. Therefore, they all had the necessary equipment and facilities. He pointed out that Hal's facility was located 7/10 of a mile from the Fort Lauderdale Police Department, but Mac's had received greater points for a lesser facility. Further, Hal's facility had not even been visited. He felt Hal's should have been on the short list based on that criteria alone, but it had not even made the short list. Mr. Book advised that a uniform phone number had been provided some years ago.

Commissioner Moore referred to the short-listed firms and noted that the scores had been extremely close in both the south and north zones. He wondered why, therefore, staff had recommended only a single vendor rather than having two contractors. Commissioner Moore believed there had been two contractors in the past to best serve the public. Since the points had been so close, he thought there should be a contractor for each zone. Mr. Buffington did not disagree with the value of having two contractors, although it had always been his policy to present the recommendations made by evaluation committees. In this case, the committee had recommended Mac's Towing for both zones.

Commissioner Moore felt the process had raised some questions and should be tightened up in the future. He did not support the recommendation to award a single contract, and he thought it would be in the City's best interests to have two contractors. Commissioner Moore asked if there had been any shortcomings with respect to the equipment of Sal's Towing. Ms. Dzoba stated that Hal's and Mac's had been about equal as to equipment.

Commissioner Smith wondered how much added benefit would be derived by splitting this into two contracts. Ms. Dzoba stated that the dividing line would be Sunrise Boulevard, and she thought both contractors could provide adequate service, and it appeared greater financial benefit would be derived by the City. Mayor Naugle asked if towing companies could seek deficiencies in court if a towing bill was not covered by the sale of a vehicle. Mr. Buffington replied that was allowed by State Statute.

Motion made by Commissioner Moore and seconded by Commissioner Katz to award a contract for the south zone to Mac's Towing and to award a contract for the north zone to Sal's Towing. Roll call showed: YEAS: Commissioners Katz and Moore. NAYS: Commissioners Smith, Hutchinson, and Mayor Naugle.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that Consent Agenda Item No. Pur. 8 be approved as recommended. Roll call showed: YEAS: Commissioners Smith, Hutchinson, and Mayor Naugle. NAYS: Commissioners Katz and Moore.

MOTIONS

Those matters included under the Motions category differ from the Consent Agenda in that items will be voted on individually. In addition, presentations will be made on each motion item if so desired.

Police Professional Liability Settlement
File PPL 97-257 (Jose Oliver Graham) (M-24)

A motion was presented authorizing the settlement of Police Professional Liability File PPL 97-257 (Jose Oliver Graham) in the amount of \$42,500.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson to approve the settlement of PPL 97-257 in the amount of \$42,500. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Settlement Agreement – New River Associates, Ltd. (M-25)

A motion authorizing the proper City officials to execute a settlement agreement with New River Associates, Ltd. was withdrawn from the agenda.

Grant Applications – Broward County Safe Parks and Land
Preservation Program – Swim Central and Challenge Grants (PH-1)

A public hearing was scheduled to consider the City's grant applications for the Broward County Safe Parks and Land Preservation Program as follows: Swim Central Grant for Riverland Park, and Challenge Grants for Bayview Park, Riverside Park and Joseph C. Carter Park.

Mayor Naugle called for those who wished to be heard. The following appeared:

Ms. Yvonne Burton, Co-Chair of the Southwest Coalition, supported these grant applications. She felt this was very important to the residents of the southwest area. Mayor Naugle hoped Ms. Burton would help lobby the County's committees to obtain these grants.

Mr. Alan MacLeod, of the L.A. Lee Branch of the YMCA, requested a resolution of support from the City Commission for the YMCA's Swim Central grant application. He stated that the YMCA could not submit an application without the support of the City Commission. Commissioner Smith believed a resolution of support was on this evening's agenda. The City Manager agreed that was correct.

Motion made by Commissioner Smith and seconded by Commissioner Hutchinson that the public hearing be closed. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Moore was concerned about the resolution supporting the YMCA because it included a ranking. He stated that the YMCA was a non-profit entity, so the City was not competing with the YMCA because it fell within the category of municipal government. Mr. Vince Gizzi, Recreation Department, explained that the County would only consider one Swim Central grant per municipality. After considering all the municipal applications, if there was any more funding available, the County would consider second grants. Commissioner Moore understood that because the YMCA was located within Fort Lauderdale, it was considered by the County to be one of the City's grants. Mr. Phil Thornburg, Acting Director of Parks & Recreation, agreed that was correct. Therefore, the City and the YMCA would be competing for these funds.

Commissioner Smith introduced a written resolution entitled:

RESOLUTION NO. 01-27

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DIRECTING CITY STAFF TO SUBMIT GRANT PROPOSALS FOR THE BROWARD COUNTY SAFE PARKS AND LAND PRESERVATION PROGRAM CHALLENGE GRANTS AND SWIM CENTRAL GRANT, ACCEPTING SUCH GRANTS IF AWARDED, AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THOSE DOCUMENTS NECESSARY TO ACCEPT GRANT FUNDING.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Swim Central – YMCA (OB)

A resolution was presented supporting the L.A. Lee Family YMCA Facility's application to Broward County for a Swim Central grant.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-37

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, SUPPORTING THE L.A. LEE FAMILY YMCA FACILITY'S APPLICATION TO BROWARD COUNTY FOR A SWIM CENTRAL GRANT.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Vacate a Portion of North/South Alley – Asher Anderson and Gail Julian (PZ Case No. 15-P-00) (PH-2)

At the regular meeting of the Planning & Zoning Board on December 20, 2000, it was recommended by a vote of 8 to 0 that the following application be approved. Notice of the public hearing was published on February 8 and 15, 2001.

Applicant: Asher Anderson and Gail Julian
Request: Vacate a portion of north/south alley
Location: North/south alley south of Northwest 5th Street, between North Andrews Avenue and Northwest 1st Avenue

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that the public hearing be closed. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-01-5

AN ORDINANCE VACATING, ABANDONING AND CLOSING A PORTION OF THE 15 FOOT ALLEY IN BLOCK 26, "AMENDED PLAT OF BLOCKS 1, 2, 3, 4, 5, 6, 7, 8, 25, 26, 27, 28, 29, 30, 31, 32 AND 33 OF NORTH LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 1, PAGE 182 OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA; BOUNDED ON THE NORTH BY THE NORTH LINE OF SAID BLOCK 26 AND BOUNDED ON THE SOUTH BY THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 14 OF SAID BLOCK 26, LOCATED BETWEEN ANDREWS AVENUE AND NORTHWEST 1ST AVENUE, SOUTH OF NORTHWEST 5TH STREET AND NORTH OF NORTHEAST 4TH STREET, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Vacate a Portion of North/South Alley –**Lonnie N. Jackson Marital Trust (PZ Case No. 28-P-00) (PH-3)**

At the regular meeting of the Planning & Zoning Board on December 20, 2000, it was recommended by a vote of 6 to 1 that the following application be approved. Notice of the public hearing was published on February 8 and 15, 2001.

Applicant: Lonnie N. Jackson Marital Trust
Request: Vacate a portion of north/south alley
Location: North/south alley south of Southwest 6th Street, between Southwest 1st Avenue and South Andrews Avenue

Mayor Naugle called for those who wished to be heard. There were none.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that the public hearing be closed. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

At 8:45 P.M., Commissioner Moore left the meeting. He returned at 8:47 P.M.

Commissioner Smith pointed out that grocery stores were important in communities, and where they were placed was critical. He noted that there were no grocery stores serving the northern part of the City. Now, the City Commission was being asked to vacate an alley for a grocery store being built on the same street as the Courthouse, which would mean 30,000 or 40,000 people would be crossing the bridges to patronize the store in the middle of the day. Commissioner Smith felt it was irresponsible to move ahead with this until the grocery needs of the entire community were resolved. Mayor Naugle pointed out that government did not dictate to companies where they could locate their facilities in the United States because people had property rights. He felt people in the downtown area needed grocery stores as well.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-01-6

AN ORDINANCE VACATING, ABANDONING AND CLOSING THAT PORTION OF THE 14 FOOT ALLEY IN BLOCK 54,"TOWN OF FORT LAUDERDALE", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK "B", PAGE 40, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA, BOUNDED ON THE NORTH BY THE NORTH BOUNDARY OF SAID BLOCK 54 AND BOUNDED ON THE SOUTH BY THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 19, OF SAID BLOCK 54, LOCATED BETWEEN SOUTHWEST 6TH STREET AND SOUTHWEST 7TH STREET BETWEEN SOUTH ANDREWS AVENUE AND SOUTHWEST 1ST AVENUE, SUCH LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Moore, Hutchinson, and Mayor Naugle. NAYS: Commissioner Smith.

At 8:50 P.M., the meeting was recessed. It was reconvened at 9:02 P.M.

Application for Dock Waiver of Limitations – Alhambra Joint Venture – Alhambra Place, 209 North Birch Road (PH-4)

A public hearing was held to consider an application by Alhambra Joint Venture for a dock waiver of limitations under ULDR Section 47-19.3.D for property located on the Intracoastal Waterway with an address of 209 North Birch Road (proposed Alhambra Place development). Notice of the public hearing was published on February 8 and 15, 2001.

Mayor Naugle called for those who wished to be heard. The following appeared:

Mr. Jamie Hart, Supervisor of Marine Facilities, explained that this was an application for a waiver of limitations to construct two piers extending 119' and 92' from the property line, and eight mooring pilings with a maximum distance of 118.5' from the property line. He stated that the application had been reviewed from a safety and navigation perspective, and it had been presented to the Marine Advisory Board, which had recommended approval of the application by a vote of 8 to 5.

Mr. Phil Long, applicant, said he was the developer of the Alhambra Place Condominium and had distributed some written information to the City Commission. He stated that the history of the site dated back to 1995, and a Code change had been made in 1994 that allowed the reduction of setbacks in the redevelopment area on the beach. Subsequently, a site plan had been submitted in 1995 for Casa Vecchia, which had not been approved. That site plan had been revised, but it had not been approved then either. Mr. Long had acquired the property in 1997, and the Alhambra Place project had been approved in July, 1997.

Mr. Long stated that work on dockage had also been initiated in July, 1997, in connection with the Condominium project. He advised that a very upscale building was proposed, and the risk to the developer was great given the past project history. Mr. Long said that the docks were important to the success of the project, and he believed this would have a positive economic impact on the community.

Mr. Long reported that it had taken over 3 years to obtain approval for the dockage from the Army Corps of Engineers, the South Florida Water Management District, the Florida Department of Environmental Protection, and the State of Florida with respect to a submerged land lease. He noted that the applications had been meticulously scrutinized, and this property was unique in that it was set back 61' in a "hole." Mr. Long displayed a photograph and diagram of the property and adjacent areas, pointing out the Portofino building, in which he lived, and which docked vessels of up to 60'. He stated that about 35' of the 61' recessed area was unusable in terms of dockage due to the depth of the water. Mr. Long stated that the Army Corps of Engineers had approved the docks but had also made it clear that a dredging permit would not be granted. Therefore, in order to obtain any usable dock space, it was necessary to extend out from the property line.

Mr. Long believed the recessed area had been created when water on the Springbrook Gardens site had been filled in the 1940s. He thought dredging might undermine the seawall on that property, and he did not believe that was an option at all. Mr. Long stated that some residents of Springbrook Gardens had worked with him on this project, but the docks seemed to be an issue for them and for neighbors to the north. He noted that it was not easy to develop a project of this size with close neighbors, and friction was not unusual.

Mr. Long stated that he had sent registered letters to everyone within 500' of the site in August, 1999. However, no complaints were sent in response to the letters. He said that about 9 months ago, a meeting had been held with residents of Springbrook Gardens, and he had been made aware of their concerns about the docks at that time. He had tried to address those concerns by reopening all of the permits at the risk of losing them all. Mr. Long had modified the dock plan to move the piers 35' northward.

Mr. Long understood that obstruction of views and noxious fumes from boats had been cited as concerns. In addition, concerns had been expressed about vessels breaking their moorings and damaging the pool at Springbrook Gardens and the perception of a marina. He displayed a projection showing the proposed docks and the line of sight and pointed out that there would still be a complete view of the Intracoastal Waterway from the pool area at Springbrook Gardens. Mr. Long did not believe these docks would interfere with the quiet enjoyment of that property.

Mr. Long said he lived at the Portofino Condominium, and there were 14 or 15 boat slips, and he was not aware of any complaints about noxious fumes. He advised that the normal air flow pattern was from the east, and these docks would be about 80' from Springbrook Gardens. In the case of the Portofino, the docks were only 20' from the pool. Mr. Long pointed out that only 9 boats could be docked at the Alhambra site, and he had offered to limit it to only 6 vessels, so he did not feel this could be considered a marina.

Commissioner Smith inquired as to the size of the vessels that would be docked. Mr. Long did not have that information yet because he did not know who would be taking advantage of the dock space. However, he did not believe the dockage could accommodate very large vessels because of the depth of the water. Commissioner Smith thought a boat rising 30' or 40' up from the water would block views. Mr. Long believed something that tall would be over 120' in length, but he was willing to consider reasonable limitations because he wanted to do the right thing and accommodate his neighbors.

Mr. Long supposed vessels anywhere could break loose from their moorings, although he did not think it was common. He thought the issue was whether or not he was seeking something out of the ordinary, and he did not believe he was. Mr. Long pointed out that the longest proposed dock would only be 58' past the neighboring bulkhead, and docks were very important to the success of the project, particularly in this boating capital of the world.

Commissioner Moore asked how large a vessel could be accommodated. Mr. Long did not think vessels of more than 80' could be docked in this location. Commissioner Moore understood Mr. Long was willing to limit the number of vessels docked to 6 even though 9 could be allowed. Mr. Long agreed that was correct.

Commissioner Katz asked why a 119' dock was necessary. Mr. Long stated that the first 35' of the dock was unusable. Commissioner Katz asked if a 100' vessel would fit. Mr. Long did not believe so because a boat that large would require a greater draft than 3-1/2'. In fact, he believed a vessel of that size would have a draft of about 10'.

Commissioner Smith asked if there were setback requirements for the T-docks. Mr. Hart believed there was a 10' side yard setback requirement. Mr. Long thought the beam of a boat had to be 20' from the side property line. Commissioner Smith inquired as to the water frontage of the property, and Mr. Long replied that the seawall was 175' long. Commissioner Smith thought an 80' vessel would violate the side yard setback requirement. He asked how 6 boats would fit at the docks, and Mr. Long advised they would have to be small and placed one in front of the next.

Ms. Joan Krajci, of Springbrook Gardens, thought 119' was just too long a dock. She felt it would upset the quality of life at her home. She did not feel the applicant should be allowed any more than the Code allowed. Commissioner Smith pointed out that only a 20' dock would be allowed without a waiver.

Ms. Pat Stadler, resident of Springbrook Gardens, felt two docks sticking out into the middle of the Intracoastal Waterway would be unsightly. She also thought it would affect the views from Springbrook Gardens and cause fumes. Upon questioning by Commissioner Smith, Ms. Stadler said she would not support anything more than a 40' dock.

Mr. Dan Goggin, of Springbrook Gardens, said he had purchased his home in the building about a year ago because he liked the idea of a small building. He thought the appeal of a small building was the panoramic view of the Intracoastal Waterway. Although he understood the view would be unobstructed from the pool area, many of the building's residents had nice views from their apartments that would be obstructed by large boats. Commissioner Smith asked Mr. Goggin if the heights of the boats or the lengths were more important. He felt both were important.

Mr. Gerry Rutley, of Springbrook Gardens, was concerned about his views being obstructed and the fumes from the boats right next door.

Ms. Pat Somerville, of Springbrook Gardens, said she had attended the Marine Advisory Board meeting at which this issue had been considered, and it had been stated that the Springbrook Gardens Condominium did not object to the dock. However, that was not the case. She said that the objections had been clearly stated at the Board meeting, and Springbrook Gardens residents had requested an extension to work out some sort of agreement with the applicant. However, the Board had not granted that request. Ms. Somerville stated that she did not object to docks, but she objected to variances when only 20' was allowed. She did not believe there were any extraordinary circumstances that would justify this waiver. Ms. Somerville was also concerned about manatees because she had seen them in that area. She did not want a commercial marina next door.

Ms. Carol Lewandowski, also of Springbrook Gardens, said she had been able to enjoy the view from her bedroom window until about a year ago when this project had been initiated. However, she had not been discouraged because she could still see some of the same sites from the pool area, but now that view appeared to be in jeopardy as well. Ms. Lewandowski said that Mr. Long had told her one of the unit owners had a 100' vessel that would take up one whole side of the dock. She was also concerned about manatees and urged the Commission to vote against this waiver.

Mr. Bob Finucane, of Springbrook Gardens, wished the Commission would go out and look at the property involved. He was very concerned about the views, noise and confusion, and there were a lot of other buildings that would be affected as well. Commissioner Smith advised that he had visited the property today.

Dr. Richard Kirk, Springbrook Gardens, put his faith in the Commission.

Mr. Mark Lambert, also of Springbrook Gardens, said he was not opposed to dockage along the Intracoastal Waterway, and he purchased his home to enjoy that type of environment. He was also not opposed to this project or to the dockage, but he did not feel the dock should be so long. He pointed out that the extensions were 595% and 460% beyond what the Code allowed, and he questioned the point of the Code as a result. Mr. Lambert believed the boats would have significant impact on the views from apartments and the pool area, and he thought enjoyment of the pool area would be compromised by noise and fumes as well. He was also concerned about the environmental impacts, and he did not perceive any extraordinary circumstances that would justify this waiver.

Commissioner Smith asked Mr. Lambert if he thought the fact that the water was too shallow for dockage for the first 35' was an extraordinary circumstance. Mr. Lambert replied that if that were the case, he would suggest there be no dockage. Commissioner Smith asked him if he thought that was reasonable.

Mr. George Jones, President of the Springbrook Gardens Condominium Association, said he had been a resident of this building for 22 years. He was not opposed to docks at the adjacent building and he understood the importance, but the developer had to know that there would be a problem with dockage. Mr. Jones did not think it was appropriate to moor extra large vessels in this area, particularly since there were two marinas nearby to accommodate such boats. He pointed out that other developments on the Intracoastal Waterway had "played by the rules," and he felt this applicant should do so as well.

At 9:42 P.M., Commissioner Moore left the meeting. He returned at 9:45 P.M.

Mr. Myron Mintz said he was the newest unit owner at Springbrook Gardens, and he had purchased his unit because of the beautiful view. He did not understand how the applicant could have proceeded with this project in light of the problems that would occur due to the dockage. Mr. Mintz believed the dock would ruin his views.

Mr. Darren Goldberg, of Springbrook Gardens, believed he would be most affected because he owned a corner unit, and he had fallen in love with the views. He did not feel 80' yachts belonged in a residential area, particularly since the City had recently spent millions of dollars on a marina just a mile away. Mr. Goldberg was concerned about the precedent this would set for the future.

Ms. Eileen Helfer, President of Harbor Haven, pointed out that location was paramount in real estate, and views were critical when it came to waterfront property. She stated that her building and the buildings on either side had chosen not to have docks because the views were so important. Ms. Helfer stated that the majority of Harbor Haven residents were opposed to this application.

Mr. Bruce McBean, President of the Portofino Condominium Association, was opposed to the dock waiver being requested by the applicant. He was not opposed to development and desired orderly development that conformed with established standards. Mr. McBean understood water was central to Fort Lauderdale's appeal and critical to the economy and strength of the City, and change was inevitable. However, he did not believe this application would be in the best interests of the community or the environment. Mr. McBean was concerned that granting this application would set a poor precedent that would result in the establishment of a marina district in this area.

Ms. Alysian Childs, President of the Central Beach Alliance, said the Alliance had always been supportive of marinas in the area, but this issue came down to one of neighborhood compatibility. She wanted to ensure that as the neighborhood was revitalized, it was done in a manner that respected the rights of existing property owners. Ms. Childs noted that the back-up memorandum indicated that a 44' dock was the standard for compatibility, and she described the history of that benchmark. She did not believe that this dock would be compatible, and she felt there was some "buggy" language in the Code with respect to extraordinary circumstances. Ms. Childs pointed out that shallow water was not an extraordinary circumstance, and dredging permits had been issued in other nearby locations. She suggested that some compromise be sought to address neighborhood compatibility.

Mr. Art Seitz said he was a photographer, and he was concerned about views and the "racking, stacking, and packing" of the barrier island. He recalled an American Assembly process that indicated the waterways should be enhanced and protected. Mr. Seitz thought the City Commission should "pass" on this one.

Motion made by Commissioner Moore and seconded by Commissioner Hutchinson that the public hearing be closed. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Commissioner Smith felt there were some extraordinary circumstances in this case, although he did not feel the applicant's request was reasonable. This building was set back in a "hole," and Springbrook Gardens did extend way into the waterway. Therefore, he was seeking a solution that would be fair and equitable for all. He did not know for sure that the first 35' of the water was unusable for dockage. Mr. Hart advised that the geological survey had shown that the first 35' of the water was too shallow for dockage, and the Army Corps of Engineers had verified that data. Commissioner Smith suggested a dock of 55' to allow 20' beyond the unusable area. He felt that would be a fair compromise.

At 10:02 P.M., the meeting was recessed due to a fire alarm. The meeting was reconvened at 10:17 P.M.

Commissioner Moore understood the Springbrook Gardens pool area extended 61' into the Intracoastal Waterway. He wondered if this applicant could fill the water in the same fashion. Mr. Long replied he could not because the State owned the underlying submerged land in this case. Commissioner Moore asked if the developer would agree not to dredge if consideration was given to this waiver application. Mr. Long agreed he would not and could not dredge. Commissioner Moore asked if a document could be filed to prevent it in the future. The City Attorney advised that the relief being requested this evening could be conditioned upon waiver of any right to dredge, and the agreement could be recorded in the public records.

Mr. Long stated that he was willing to reduce the number of vessels allowed at the dock from 9 to 6, and he would not try to do any dredging. Commissioner Moore referred to the length of the vessels. Mr. Long was willing to limit vessel size to 80' on the long dock furthest from the Springbrook Gardens building, and the other dock could be reduced as well. He noted that a dock of 80' would extend only 19' beyond the neighboring pool area, which stuck way out into the Intracoastal Waterway.

Commissioner Smith suggested a limit of 60' on the long dock and 40' on the short dock. Mr. Long did not feel that would be reasonable, although he was trying to compromise. He did not see how a vessel some 125' away from the Springbrook Garden pool would have any negative effect.

Commissioner Katz supported a 55' dock length to allow 20' beyond the unusable 35' area. She did not want to see people taking advantage of the term "extraordinary circumstances," and she saw no need for a 119' dock. Commissioner Hutchinson was sure Mr. Long had been aware of these circumstances when he bought the property, and she did not think this would be compatible with the neighborhood. She also believed that granting this request would set a precedent in terms of neighborhood compatibility.

Mayor Naugle noted that condition #14 of the permit indicated that boat mooring would be limited to 9 slips and limited to vessels not exceeding 40' in length and drafts of 5-1/2' or less. Therefore, the length was limited to 40' anyway. Mr. Long clarified that had been an error in the permit, which had been corrected by letter removing that restriction.

Mayor Naugle said he had examined the depth of the waterway, and he did not agree that the first 35' was unusable. He noted that the Code allowed a 20' dock with pilings extending an additional 5'. Mayor Naugle believed the first 10' of the water was 4' deep or less, and he suggested a dock 30' from the seawall, with pilings at a distance of 35'. Commissioner Smith said he could support that compromise. Mayor Naugle pointed out that plenty of vessels could be accommodated, although very large vessels with deep drafts could not be docked.

Motion made by Commissioner Smith and seconded by Commissioner Moore to grant a waiver to allow a dock extending 30' into the waterway and the pilings to extend a distance of 35' from the seawall. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, and Mayor Naugle. NAYS: Commissioner Hutchinson.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-28

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, WAIVING THE LIMITATIONS OF SECTION 47-19.3.B & C OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE TO ALLOW ALHAMBRA JOINT VENTURE TO CONSTRUCT AND MAINTAIN TWO (2) FIXED PIERS AND EIGHT (8) DOLPHIN PILINGS, THAT EXTEND A MAXIMUM DISTANCE, MORE PARTICULARLY DESCRIBED BELOW, FROM THE PROPERTY LINE INTO THE INTRACOASTAL WATERWAY FOR THE PROPERTY LOCATED AT 209 NORTH BIRCH ROAD MORE PARTICULARLY DESCRIBED BELOW.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, and Mayor Naugle. NAYS: Commissioner Hutchinson.

Rezone RMM-25 to CB – Richard A. Kurtz (PZ Case No. 19-Z-00) (O-1)

At the Planning and Zoning regular meeting of December 20, 2000, it was recommended by a vote of 8 to 0 that the following application be approved. Ordinance No. C-01-4 was published on January 25, 2001 and February 1, 2001 and was passed on first reading at the Regular Meeting of February 6, 2001.

Applicant: Richard A. Kurtz
Request: Rezone RMM-25 to CB
Location: 1228 Northwest 6th Court

Commissioner Moore introduced the following ordinance on second reading:

ORDINANCE NO. C-01-4

AN ORDINANCE CHANGING THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, SO AS TO REZONE FROM RMM-25 TO CB, LOTS 15, 18 AND 19, BLOCK "A", "HOME BEAUTIFUL PARK", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 47, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LOCATED AT THE INTERSECTION OF NORTHWEST 6TH COURT AND NORTHWEST 13TH TERRACE, ON THE SOUTH SIDE OF NORTHWEST 6TH COURT AND ON THE EAST SIDE OF NORTHWEST 13TH TERRACE, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA, AND AMENDING THE OFFICIAL ZONING MAP AND SCHEDULE "A" ATTACHED THERETO TO INCLUDE SUCH LANDS.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Amendment to Chapter 2 – Increase Membership of Education Advisory Board (O-2)

An ordinance was presented amending Article VII of Chapter 2, Division 5 of the Code of Ordinances to increase the membership of the Education Advisory Board. Notice of the proposed ordinance was published on February 10, 2001.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-01-7

AN ORDINANCE AMENDING ARTICLE VII OF CHAPTER 2, DIVISION 5, EDUCATION ADVISORY BOARD, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO INCREASE THE MEMBERSHIP OF THE EDUCATION ADVISORY BOARD.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, and Mayor Naugle. NAYS: Commissioner Hutchinson.

Amendment to Chapter 20 – General Employees’ Retirement System – Vesting Schedules and Cessation of Employee Contributions(O-3)

An ordinance was presented amending Chapter 20, Division 2 of the Code of Ordinances regarding the General Employees’ Retirement System to amend the vesting schedules for certain employees and provide cessation of employee contributions upon achieving a 100 percent benefit accrual. Notice of the proposed ordinance would be published on March 5, 2001.

Commissioner Smith inquired about the current vesting period for the City Manager. The City Manager stated that immediate vesting was allowed by his contract, but it had been suggested that two years be the appropriate period to bring it in tune with the regular vesting cycle. Commissioner Smith asked when other employees were vested. Mr. Bob Dunckel, Assistant City Attorney, replied that it depended upon the employment group, but most were vested in 5 years.

Commissioner Moore introduced the following ordinance on first reading:

ORDINANCE NO. C-01-8

AN ORDINANCE AMENDING CHAPTER 20, DIVISION 2 OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA RESPECTING THE GENERAL EMPLOYEES’ RETIREMENT SYSTEM, PERMITTING CERTAIN GROUP I MEMBERS EXCEED THE MAXIMUM BENEFIT ACCRUAL OF 90% UNDER CERTAIN CONDITIONS, AMENDING THE VESTING SCHEDULE FOR THE POSITION OF CITY MANAGER, AND PROVIDING FOR CESSATION OF EMPLOYEE CONTRIBUTIONS UPON ACHIEVING A ONE HUNDRED PERCENT BENEFIT ACCRUAL.

Which ordinance was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Demolition of Building (R-1)

At the December 21, 2000 meeting of the Unsafe Structures & Housing Appeals Board, it was recommended that the City demolish the building at the following address and assess the property with costs. On February 6, 2001, the City Commission deferred consideration of this item to February 20, 2001.

1. 424 Northwest 23rd Avenue

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-29

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ORDERING THE DEMOLITION OF THE BUILDING OR BUILDINGS UPON EACH PROPERTY LEGALLY DESCRIBED IN THE ATTACHED SCHEDULE “A,” BECAUSE OF NON-COMPLIANCE WITH THE SOUTH FLORIDA BUILDING CODE.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Executive Airport – Aero Toy Store, Inc.
Parcels 9A and 9B Lease Amendment (R-2)**

A resolution was presented authorizing the proper City officials to amend the Aero Toy Store, Inc. lease agreement for Parcels 9A and 9B to include the updated language pertaining to leasehold mortgagee rights.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-30

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN AMENDMENT TO LEASE AGREEMENT WITH AERO TOY STORE, INC., PERTAINING TO PARCEL 9-A/B AT FORT LAUDERDALE EXECUTIVE AIRPORT UPDATING THOSE PROVISIONS PERTAINING TO THE RIGHTS AND OBLIGATIONS OF LEASEHOLD MORTGAGEES.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Proposed Annexation of the Southwest Area
(also known as Riverland Road Area) (R-3)**

A resolution was presented declaring the City's interest in serving as the governing body for the Southwest Area (also known as the Riverland Road Area).

Mayor Naugle and Commissioner Moore inquired about the election date. Mr. Bud Bentley, Assistant City Manager, stated that the Riverland Neighborhood Association had asked that the election date be moved up.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-31

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DECLARING ITS INTEREST TO SERVE AS THE GOVERNING BODY FOR THE RIVERLAND ROAD AREA AND ITS INTENT TO SUBMIT A TRANSITION PLAN PROVIDING FOR ANNEXATION OF THIS AREA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Agreement – Broward County – Broward Boulevard Streetscape Improvement Project (Northwest 7th Avenue to State Road 7/ City-Funded Portion to City Limits on Northwest 31st Avenue)(R-4)

A resolution was presented authorizing the proper City officials to execute an agreement with Broward County in the amount of \$839,500 for streetscape improvements for Broward Boulevard, between Northwest 7th Avenue and State Road 7 (with the City-funded portion to the city limits on Northwest 31st Avenue).

Commissioner Hutchinson thought there had been discussion about exploring the idea of a special assessment. Mr. Pete Sheridan, Engineering, stated that staff was working on identifying all of the affected properties to determine a fair and equitable distribution of the costs. He had learned that the special assessment could be undertaken after execution of this agreement with the County. Commissioner Hutchinson was uncomfortable with the idea of an \$83,000 expense “hanging over” the City every year. Commissioner Katz shared her concern and had been told there was not enough funding in the CIP for this expense. Mr. Sheridan explained that the CIP and other funding sources would be examined during the upcoming budget process, and the special assessment process would be finalized as well.

Commissioner Moore supported the special assessment idea, but he understood other funding sources would also be explored. His only concern was that the other avenues of funding had not been mentioned in the back-up material. Commissioner Moore hoped the Commission would support this item because he thought it was imperative to move this project forward in order to coordinate it with the DDA project that was underway. He noted that the FDOT had been generous in terms of other projects, and he hoped other financing avenues would be explored.

The City Manager recalled that the Commission had directed staff to pursue a special assessment, and staff had also been exploring other funding avenues. He was not hopeful that funding would be forthcoming from the FDOT for this project, but staff would continue its efforts. The City Manager believed the City should go forward with this project in light of the work invested by the community and the elimination of some expensive features. He thought it was worthwhile to move forward with this section of the area improvements.

Commissioner Smith asked if there were any time constraints that would prevent deferral of this item until staff could provide additional information. The City Manager believed a delay would impair the County’s ability to award the contract. Commissioner Smith was not comfortable with the feeling of “signing a blank check.” Commissioner Katz agreed it was like buying a car when you had no money. Commissioner Smith said he would be more comfortable if he knew what portion of the \$839,000 could be assessed.

Commissioner Hutchinson did not think any of the Commissioners were opposed to this project, but she wondered where the money would come from. Commissioner Moore thought it was necessary to take some risk sometime. He did not think anyone was arguing against a special assessment, and he believed there were additional funding opportunities to explore.

Commissioner Smith asked if the County would move forward with some portion of its project on Broward Boulevard if this resolution was not adopted tonight. Mr. Sheridan advised that this aspect would include the decorative lighting, pavers, trash receptacles and landscaping. Therefore, without it, the project would include only street resurfacing and reconstruction of any missing elements without any aesthetic enhancements. Commissioner Smith asked if those amenities could be added after-the-fact. Mr. Sheridan replied that it would be extremely difficult and funding opportunities would be limited.

Mayor Naugle felt "betrayed and patronized." He believed the special assessment idea had been raised 6 months ago, and it appeared the Commission had been ignored. Mayor Naugle wanted the project to go forward, but it appeared someone had not done his job. Mr. Kisela stated that part of the difficulty in analyzing this corridor was that there were many properties in public and non-profit ownership. Mayor Naugle believed that had been known originally.

Commissioner Katz asked how much time there was to make this decision. Mr. Sheridan replied that the County had indicated it was ready to move forward now because the contractor would not honor the bid any longer. Commissioner Katz felt this was unfair, and she could not support the item without knowing the source of the funding. Commissioner Hutchinson was not comfortable borrowing money from the County.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT WITH BROWARD COUNTY, FLORIDA, PROVIDING FOR STREETScape IMPROVEMENTS TO BROWARD BOULEVARD FROM STATE ROAD 7 TO NORTHWEST 7 AVENUE. _____

Which resolution was read by title only. Roll call showed: YEAS: Commissioner Moore. NAYS: Commissioners Katz, Smith, Hutchinson, and Mayor Naugle.

Grant of Temporary Easement Rights - Florida Department of Transportation (FDOT) – E. Clay Shaw Bridge – State Road A-1-A and Southeast 17th Street Causeway (R-5)

A resolution was presented approving a grant of temporary easement rights to FDOT until March 31, 2002, for the continuation of construction of the E. Clay Shaw Bridge (Southeast 17th Street Causeway).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-32

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING EXECUTION AND DELIVERY OF A TEMPORARY EASEMENT DEED OVER LANDS MORE PARTICULARLY DESCRIBED BELOW TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE PURPOSE OF TYING IN AND HARMONIZING THE PROPERTY WITH THE CONSTRUCTION ON S.E. 17TH STREET CAUSEWAY, SAID TEMPORARY EASEMENT TO EXPIRE MARCH 31, 2002 OR UPON COMPLETION OF THE TRANSPORTATION PROJECT, WHICHEVER FIRST OCCURS.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Grant Application – Florida Inland Navigation District (FIND),
Waterway Assistance Program – Seawall Repairs on New River
Between Florida East Coast (FEC) Railroad and Esplanade Park(R-6)**

A resolution was presented authorizing the proper City officials to apply for a grant with FIND for seawall repairs along the north side of New River, between the FEC Railroad and Esplanade Park.

Commissioner Smith was unclear. It appeared a seawall was going to be constructed in front of rip-rap. Mr. Hector Castro, City Engineer, explained that there was a rip-rap seawall there now, and a pile and panel seawall would be constructed behind it to maintain the ambience of Riverwalk.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-33

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR A GRANT UNDER THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM FOR SEAWALL REPAIRS ON THE NORTH BANK OF THE NEW RIVER BETWEEN THE F.E.C. RAILROAD AND ESPLANADE PARK, REFURBISHMENT OF THE ROCK EMBANKMENT EAST OF THE DOCK AT REED'S RIVER HOUSE, AND FOR ADDITIONAL DOCKAGE FACILITIES IN THIS AREA OF THE NEW RIVER; AND FURTHER AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ALL DOCUMENTS NECESSARY TO RECEIVE SUCH GRANT FUNDING.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Historic Designation – Gilda’s Club of South
Florida (HPB Case No. 29-H-00) (R-7)**

At the regular meeting of the Historic Preservation Board on November 13, 2000, it was recommended by a vote of 11 to 0 that the following application be approved.

Applicant: Gilda’s Club of South Florida
Request: Historic designation of a building
Location: 119 Rose Drive

Mayor Naugle congratulated Marilyn Rathburn and Scott Strawbridge for their efforts to protect this building.

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-34

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, DESIGNATING THE HOUSE LOCATED AT 119 ROSE DRIVE, FORT LAUDERDALE, AS A HISTORIC LANDMARK PURSUANT TO SECTION 47-24.11 OF THE UNIFIED LAND DEVELOPMENT REGULATIONS.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Extension of Site Plan Approval – Edward J. Smoker/
Tarpon Bend Partnerships – Himmarshee Landings
(PZ Case Nos. 13-ZR-97 and 94-R-97) (R-8)**

Presented for consideration was a request from Edward J. Smoker/Tarpon Bend Partnerships, applicant, to extend project approval for six months after the two-year approval granted by the Development Review Committee (DRC) on March 25, 1999.

Applicant: Edward J. Smoker/Tarpon Bend Partnerships
Request: Extension of site plan approval
Location: 1112 East Las Olas Boulevard

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-35

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO EXTEND THE TIME OF THE SITE PLAN APPROVED IN CONNECTION WITH THE REZONING OF PROPERTY LOCATED ON THE SOUTHWEST SIDE OF TARPON DRIVE BETWEEN EAST LAS OLAS BOULEVARD AND SOUTHEAST 4TH STREET, IN FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

**Transmit Flexibility (Flex) Zones 49 and 54 into the
Downtown Regional Activity Center (RAC) – Boundary
Modification to Broward County Planning Council(R-9)**

A resolution was presented authorizing the transmittal of a request to modify Flexibility Zones 49 and 54 to allow for the incorporation of dwelling units from these zones into the Downtown Regional Activity Center (RAC).

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-36

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT
LAUDERDALE, FLORIDA, REQUESTING BROWARD COUNTY TO AMEND
THE BOUNDARIES OF FLEXIBILITY ZONES 49 AND 54 IN THE CITY OF
FORT LAUDERDALE.**

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Advisory Board Appointments (OB)

The City Clerk announced the appointees/reappointees who were the subjects of this resolution:

Marine Advisory Board

Kelvin Haynes

Commissioner Moore introduced a written resolution entitled:

RESOLUTION NO. 01-38

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT
LAUDERDALE, FLORIDA, APPOINTING BOARD MEMBERS AS SET FORTH
IN THE EXHIBIT ATTACHED HERETO AND MADE A PART HEREOF.**

Which resolution was read by title only. Roll call showed: YEAS: Commissioners Katz, Smith, Moore, Hutchinson, and Mayor Naugle. NAYS: none.

Mayor Naugle announced that he planned to make a motion at the next meeting to reconsider Item R-4.

At 11:02 P.M., Mayor Naugle adjourned the meeting.

Jim Naugle
Mayor

ATTEST:

Lucy Masliah
City Clerk